

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Crim. No. 04-30046-MAP

UNITED STATES OF AMERICA

v.

PASQUALE ROMEO, ET AL
Defendants

MOTION OF DEFENDANT PASQUALE ROMEO
TO DISMISS CERTAIN COUNTS
OF THE SUPERSEDING INDICTMENT

Pursuant to Federal Rules of Criminal Procedure 7(c)(1) and 12(b)(3)(B) and the Fifth and Sixth amendments to the United States Constitution, the Defendant, Pasquale Romeo, respectfully moves this Honorable Court to dismiss Counts 1, 29, 30, 31, 34, 38, 42, 44, 45, 48, 49, 50, 59 and 66 of the superseding indictment because the allegations of said indictment fail to inform and give fair notice to the defendant of the nature of the charges against him with sufficient specificity as to his alleged criminal conduct. Furthermore, the conduct alleged in Count 31 of the superseding indictment falls outside of the applicable statute of limitations as set forth in 18 U.S.C. § 3282.

The Defendant's legal arguments are set out in a memorandum of law filed herewith.

WHEREFORE, the Defendant Pasquale Romeo respectfully requests that the Court dismiss the above referenced Counts of the Superseding Indictment pending against him.

THE DEFENDANT
By His Attorney

/s/ Michael O. Jennings
Michael O. Jennings, Esq.
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Springfield, MA 01103
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CERTIFICATE OF SERVICE

I, Michael O. Jennings, hereby certify that I served a copy of the foregoing motion to all parties of record on March 8, 2006.

/s/ Michael O. Jennings
Michael O. Jennings